

Oct 16, 2018

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SHEILA K. WATERBURY HADLEY,

Plaintiff,

v.

TIMOTHY J. HADLEY;
EOWEN ROSENTRATER;
JANELLE CARMAN; and
HON. JOHN LOHRMANN,

Defendants.

No. 4:18-CV-05129-EFS

**ORDER DISMISSING CASE AGAINST
MICHAEL MITCHELL**

On September 17, 2018, Plaintiff Sheila K. Waterbury Hadley filed a Motion to Dismiss Complaint as to Defendant Michael Mitchell, Without Prejudice. ECF No. 20. Pursuant to Federal Rule of Civil Procedure 41(a)(2), an action may be dismissed at a plaintiff's request by a court order, on terms that the court considers proper. The Court finds it proper to dismiss the action against Michael Mitchell. Mr. Mitchell does not object to dismissal, as he also filed a Motion to Dismiss for Failure to State a Claim. ECF No. 14. Pursuant to Federal Rule of Civil Procedure 41(a)(2), **IT IS HEREBY ORDERED:**

1. Plaintiff's Motion to Dismiss Complaint as to Defendant Michael Mitchell, Without Prejudice, **ECF No. 20**, is **GRANTED**.

1 **2.** All claims against Michael Mitchel are **DISMISSED WITHOUT**
2 **PREJUDICE.**

3 **3.** Michael Mitchel's Motion to Dismiss for Failure to State a Claim, **ECF No.**
4 **14**, is **DENIED as MOOT.**

5 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and provide
6 copies to all counsel and Plaintiff.

7 **DATED** this 16th day of October 2018.

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9 s/Edward F. Shea
10 EDWARD F. SHEA
11 Senior United States District Judge
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